

Appl. No. : 09/750,742
Filed : December 28, 2000

REMARKS

This is in response to the Office Action mailed November 22, 2005.

By the Office Action, the Examiner indicated the rejection of Claims 47-51 and 57-60 under 35 U.S.C. § 103(a) as being unpatentable over Fey (the Big Six machine) in view of Luciano (USPN 6,050,895), Claim 52 in view of that combination in further view of Lucero (USPN 5,457,306), and Claims 53-56 in view of that combination in further view of Walker (USPN 6,113,495).

In general, Applicants assert that the cited prior art does not disclose, alone or in combination, the limitations of the claims. As detailed below, in many cases, Applicants assert that the claim language clearly defines an invention which differs from that shown in the cited prior art.

Independent Claim 47

With respect to independent Claim 47, the Examiner cites Fey's 1904 Big Six slot machine. The Examiner indicates that the Big Six slot machine discloses all of the features of this claim except a first and second video display. The Examiner cites Luciano as disclosing first and second electronically controlled video displays at a first face of a console.

Applicants assert that the portion of Fey which is cited lacks a description of the features which the Examiner relies upon in rejecting the claims. The reference which has been provided to the Applicant is a single page from Fey which illustrates the Big Six slot machine and which indicates that the machine was a "Caille Classic" which comprised "ornamental, massive floor machines, like the 1904 425 pound musical BIG SIX -45 twin." The reference does not detail the construction or operation of this machine. It appears that the machine essentially comprises two

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"dial" type slot machine which were associated with a common housing. For just the reason that the reference does not provide detail regarding the construction or operation (including detail regarding the "controllers"), Applicants assert that the Examiner has not established a *prima facie* case of obviousness.

As amended, Claim 47 claims a game station having two electronic controllers and associated electronic displays. As further claimed, a player's wager placed with a wager accepting device can be used to play either a first or a second game. In other words, the one or more wager accepting devices are configured to allow the player to place a wager to play either of the first or second games which may be presented at the game station.

As indicated above, the BIG SIX machine appears to simply be two slot type machines located in the same housing. As such, it appears that there are two coin slots, each of the coin slots permitting the player to place a wager to play only one of the games (i.e. each coin slot corresponds to one of the games or dials only). On the other hand, the gaming machine as claimed does not comprise two independent gaming machines associated with the same housing, but a single gaming machine offering two games.

In addition, Applicants assert that it is not obvious to substitute electronic displays and controllers (such as disclosed in Luciano) into the BIG SIX machine. As detailed in Applicants' last response, Luciano is directed to a single game which utilizes more than one display (for presenting a game with a skill portion and a traditional game). On the other hand, the BIG SIX comprises two separate gaming machines associated with a common housing. Applicants' assert there is no motivation to combine these machines to create a single machine having two electronic displays and

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two separate controllers whereby two separate games may be concurrently presented to the same player (again, the BIG SIX is to machines for use by two players, and Luciano discloses use of two displays for presenting a single game).

Dependent Claim 48

The Examiner rejected this claim on the basis that Fey illustrates placing gaming units back to back. This disclosure, however, does not meet the claim limitation. Claim 48 recites a game station having a base unit with first and second sides, each of which defines a player station. The Examiner has cited a reference which illustrates two independent gaming machines which are located adjacent to one another in a back-to-back configuration. This is not the same as a single machine which defines player stations at opposing sides.

Dependent Claim 51

The Examiner rejects this claim on the basis that Luciano shows a housing located between the console and the second end. Applicant disagrees. Luciano discloses that the wager accepting devices (106/108) are located in housings which are entirely external to the console, not between the first and second ends of the console.

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Independent Claim 57

Applicants note that while the Examiner indicated the rejection of Claim 57 in view of Fey and Luciano, the Examiner does not specifically detail how the cited references disclose all of the various elements in Claim 57.

For example, similar to Claim 48, Claim 57 claims a game station having a base unit defining players stations at either side. As detailed above, the Examiner has cited only a reference which shows placing two independent gaming machines in close proximity to one another, not a reference which shows a single gaming machine having player stations at opposing sides thereof.

In addition, Claim 57 recites a play surface and a game station having a restricted height console. Applicant disagrees that the height of the cabinet is a matter of design choice which does not distinguish over the prior art because "they do not solve any stated problem." The problem with existing gaming machines is that they are single use. As indicated in the application, one purpose of the game station is to allow game players to play multiple games - including both electronic games presented at the machine and bingo or other games which require that the player's view to other areas not be restricted. The game station of the invention solves this problem by having a design which both allows one or more electronically controlled games to be presented at the game station, and also be configured to provide a play surface and not restrict the player's view to other gaming areas, such as an electronic bingo board which may be remotely located from the game station.

Dependent Claim 59

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This claim specifically recites that the player stations at either side of the base unit are symmetrically configured. Aside from the fact that Fey only discloses independent gaming machines which are located adjacent to one another (and not a single machine having player stations at each side), the Examiner has cited no reference which discloses a gaming machine or station where the player stations at each side are symmetrically arranged. Even if the prior art of "two gaming machines located adjacent to one another in back-to-back configuration" were relevant to the invention, in such a configuration the "player areas" of those gaming machines are asymmetrical to one another (since the machines are identical but one is in a reverse position to the other).

Independent Claim 53

Again, Applicants assert that Fey does not teach the invention as claimed, including a wager "allocation input." As best understood, the BIG SIX machine has a coin slot for each of the two machines which are mounted in the common housing. The BIG SIX machine does not disclose any mechanism for allocating a wager to play first or second games.

Other Claims/Cited Art

In that Applicants have detailed why the references do not disclose one or more elements of each claim, Applicants have not responded to every one of the Examiner's assertions or detailed every reason why each and every claim defines over the prior art. Numerous additional reasons exist. For example, in some cases, Applicants assert that the proposed combination of references

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is improper. Such arguments are moot, however, where the references do not even disclose all of the claimed limitations even when combined.

Summary

Applicants assert that Claims 47-48 and 50-60 are in a condition for allowance and respectfully requests a notice as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Respectfully submitted,

Dated: April 21, 2006 By: 

R. Scott Weide
Attorney of Record
Registration No. 37,755
Weide & Miller, Ltd.
7251 W. Lake Mead Blvd., Suite 530
Las Vegas, NV 89128
(702)-382-4804 (Pacific time)